



**Townsend Council Meeting Minutes
November 4, 2020 @ 7:00 pm
VIA CONFERENCE CALL**

Per the Governor's request, all scheduled meetings will be held via electronic means. Residents will be able to view documents posted to the meeting tab on the Town website at www.townsend.delaware.gov or by joining the meeting via computer.

Those wishing to attend may dial 1(301)715-8592. When directed, provide following meeting ID 82764217575# and then the following password 361631# to enter the meeting.

If you choose to access the meeting online Join the online meeting:

<https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xiME1HV0ZOcHRxSHZ3QT09>

I. **Call to Order:** The meeting was called to order at 7:01 p.m. by Mayor Thomas McDonald.

II. **Opening Ceremonies**

A. *Roll Call:*

The following Council and Staff were present with electronic access available for guests: Mayor T. McDonald, Councilman P. Miller, Councilman S. Lobdell, Councilman E. Dugan, Councilman J. Mertz, Town Manager A. Mangeri, Town Clerk A. Tantillo, and Financial Officer J. Helms, Town Attorney F. Townsend, Town Engineer E. Van-Otoo, and Lt. Lloyd, DSP.

B. *Pledge of Allegiance:* Skipped for Electronic Meeting

C. *Recognition of Visitors:* Present guests were Sheryl Rojas

D. *Announcements:* None

III. **Additions and Deletions to published Agenda:** None

IV. **Approval of Minutes**

Approval/ Rejection of Town Council Workshop Minutes 10/21/2020: *CM Mertz motioned for the approval of the minutes as presented, CM Miller seconded the motion. (Vote: Lobdell- Yea, Mertz- Yea, Miller- Yea)*

V. **Mayor's Report**

- a. Mayor McDonald discussed a potential additional task for each Council Member, to serve as a HOA Liaison. This liaison role would allow for Council members to attend an HOA meeting in a development other than where they live, to allow them to be available to listen and hear what is going on in the communities.
- b. Council discussed that this may be a good idea to have more opportunities for Council to connect with residents, and once items in TVI are cleared up and the HOA is established, this may be a good idea. Mayor McDonald asked Council to begin thinking about beginning this process.

VI. **Reports**

A. *State Police:*

- a. Lt. Lloyd shared that there were 33 total responses in the Town of Townsend in the month of October, which is low for the Town. This included two voluntary missing people, one criminal mischief theft, three domestic disturbances, one wanted person, two prescription frauds, one property crash, and twenty-three non-reportable incidents which did not include criminal charges.
- b. There were 115 traffic tickets given in and around Townsend.

- c. Councilman Mertz requested any information of criminal events during or before Halloween. Lt. Lloyd said that there were no criminal elevated events on Halloween specifically.
 - d. TM Mangeri informed Council that there was an extra duty patrol officer in Town on Halloween.
- B. Town Attorney Fred Townsend III:
- TA Townsend shared with Council that he was prepared with a report for Executive Session.
- C. Town Engineer Edwin Van-Otoo:
- a. A discussion on the Townsend Pickle Ball/ Tennis Court Bid references and responses.
 - i. TE Van-Otoo provided Council with a list of references for the Townsend Pickle Ball/ Tennis Court Bid. TE Van-Otto shared that the former clients provided good references for Gessler Construction.
 - ii. TE Van-Otoo shared that the grant that would be used for this project ends in June 2021 and with the weather changing, he would like the contracts for this project to be drafted to begin in the Spring.
 - iii. TM Mangeri will confirm with the county that the funds will still be available and that if we delay the project for the spring, that the state grant will still be available.
 - iv. *CM Lobdell made a motion to lift the discussion for the Pickle Ball/ Tennis Court off of the table, CM Dugan seconded the motion. (Vote: Dugan- Yea, Lobdell- Yea, Mertz- Yea, Miller- Yea)*
 - v. *CM Lobdell made a motion to approve Gessler Construction to complete the Pickle Ball/ Tennis Court, pending the authorization to complete the work in the Spring on the availability of the funds, as research by TM Mangeri, CM Mertz seconded the motion. (Vote: Dugan- Yea, Lobdell- Yea, Mertz- Yea, Miller- Yea)*
 - b. A discussion on the motor vehicle crash on Route 71 and the need for an increased effort to get DeIDOT to do a traffic study on Route 71 particularly at the Karins Boulevard entrance.
 - i. TE Van-Otoo has reached out to DeIDOT to request a meeting, but he would like to increase his correspondence with DeIDOT and would like further input from the Town.
 - ii. TM Mangeri shared that he also reached out to Representative Spiegelman and that he wanted to schedule a meeting with himself, Mayor McDonald, Representative Spiegelman, and Senator Ennis. He would also like to request the attendance of a representative from DeIDOT.
 - iii. CM Dugan shared that there was initial pushback of a traffic study due to the church not being built, initially.
 - iv. TM Mangeri and Council discussed pre-planning now with DeIDOT to plan for a possible light in the future.
 - v. CM Miller asked TE Van-Otoo if there is a certain criterion that needs to be met in order to get a light at Rt. 71 and Karins and TE Van-Otoo shared that there is. Council discussed that the traffic numbers will likely not be accurate at the current time, due to COVID, but it would be good to get this on the agenda.
 - vi. TM Mangeri asked CM Miller, CM Lobdell, Mayor McDonald, and TE Van-Otoo to assist with these efforts.

- vii. TA Townsend explained that if the Mayor and two other elected members of Council were to meet with DeIDOT, that would trigger a FOIA requirement for notice of public hearing.
 - viii. TE Van-Otoo will coordinate with TM Mangeri and CM Lobdell to coordinate a meeting with DeIDOT.
 - c. An update from Town Engineer Van-Otoo on the TVI and TVII checklists for dedication.
 - i. TE Van-Otoo has received the documents for TVI and TVII checklists from Karins and Associates and will be reviewing them.
 - ii. In order to complete TVI, TE Van-Otoo is awaiting as-builts to ensure completion.
 - iii. To complete TVII, TE Van-Otoo has created a punch list to be completed by Handler, which should be expected to be completed in the next two weeks to accommodate for the weather.
 - iv. TE Van-Otoo clarified dedication of open spaces, roads, and other areas. Typically, when roads are dedicated to the Town, the Town maintains them. When open spaces are dedicated to the Town, HOA's maintain them. Until the punch lists and other items are completed, Handler remains the responsible parties for these areas.
 - d. An update on The Woods at Hidden Creek
 - i. TE Van-Otoo had a meeting on 11/4/2020 with TM Mangeri, Rt. 71 Properties and other representatives from Rt. 71 properties.
 - 1. The only question from the meeting that has been identified, was the bonding due to the pump station inspection required by NCC. TE Van-Otoo requested a document that confirms the bonding is in place with inspections and fees.
 - 2. The timeline to begin the first phase of the Woods at Hidden Creek is set to begin on November 16th, 2020 and most of the work for Phase I is expected to be complete by June of 2021.
 - 3. Additional discussions with Rt. 71 will occur with TE Van-Otoo regarding the expected location of the Woods at Hidden Creek Clubhouse and the parking lot, with particular attention provided to potential stormwater runoff concerns.
 - 4. CM Mertz asked if there were any environmental concerns in the area. TE Van-Otoo shared that there was a Plus Program meeting on 10/28. Additionally, there is no flood plain in that area.
 - e. A discussion on the stormwater issues along Cannery Lane
 - i. TE Van-Otoo shared that these issues are still pending and there is a basin at the end of the street, that will be addressed with the property manager.
 - ii. TE Van-Otoo, TM Mangeri, Mayor McDonald, Waste Industries, and area residents walked the area together to review the issues.
- D. Town Manager Anthony S. Mangeri:
- a. Discussion and possible vote on Ordinance No. 2020- 005 Adopting the New Castle County Multi-Jurisdictional All-Hazard Mitigation Plan 2020 Update as Approved By FEMA.
 - i. TM Mangeri shared that municipalities can participate in the creation of the New Castle County Multi-Jurisdictional All-Hazard Mitigation plan, as approved by FEMA in order to be eligible for Hazard Mitigation funds if disasters occur.

- ii. TM Mangeri participated in the creation of this plan, with the county.
 - iii. TM Mangeri shared that the plan provides a strategy to pursue and address issues that may arise from disasters.
 - iv. TM Mangeri explained that in 2010, the Town adopted the county plan through an ordinance and revised the Town Code to reflect that adoption.
 - v. *CM Miller made a motion to approve Ordinance No. 2020- 005 Adopting the New Castle County Multi-Jurisdictional All-Hazard Mitigation Plan 2020 Update as Approved By FEMA. CM Lobdell seconded the motion. TM Mangeri provided a reading of the Ordinance. (Vote: Dugan- Yea, Lobdell- Yea, Mertz- Abstain, Miller- Yea)*
- b. Discussion of possible server updates
- i. TM Mangeri shared that he has received a quote from SSD, to estimate the costs of possible server upgrades. As the need to update the servers related to remote work due to the COVID-19 pandemic, TM Mangeri will seek pre-approval from the county to receive CARES Funds for these upgrades.
 - ii. TM Mangeri will follow up at the TC Workshop meeting with authorization to upgrade, pending the approval of CARES reimbursement.

VII. Committee Reports

- A. Finance: Chair Mayor Thomas McDonald - Co-Chair CM Edgar Dugan
- a. Council requested an update on the budget for the year. FO Helms reported that the Town is ahead in expected revenue so far and under in expenses.
 - b. FO Helms requested clarification from Council on how to go about completing an authorized transfer. Mayor McDonald requested FO Helms use a check.
 - c. Council asked for an update on the Town perception of the tax increase. TM Mangeri shared that overall, most of the responses have taken the increase well.
- B. Human Resources: Chair CM Patrick Miller
- No report.
- C. Public Works: Chair CM Edgar Dugan - Co-Chair CM Scott Lobdell
- No report
- D. Land Use & Development: Chair CM Scott Lobdell - Co-Chair CM Edgar Dugan
- No report
- E. Veterans Committee: Chair CM Patrick Miller - Co-Chair CM Mertz
- As Veterans Day is approaching, CM Mertz shared that he would like to look into what could be done to recognize Veterans Day.
- F. Public Safety: Chair CM Patrick Miller - Co-Chair – CM Mertz
- a. A report on Halloween 2020.
 - i. CM Mertz shared that there were no incidents reported on Halloween and that the number of trick or treaters were low this year, due to COVID.
 - b. Muskrat Traps behind Wiggins Mill
 - i. CM Mertz shared that the Town has been informed that muskrat traps have been set behind Wiggins Mill and residents have been advised to avoid this area.

ii. TM Mangeri shared that this notification has been shared on the Town's website.

G. Community Relations: Chair CM Scott Lobdell - Co-Chair CM Mertz

a. CM Lobdell shared that a business in Town has been running a Crab, Pizza, and Beer night and it has been a good event to test the market for a developed downtown area in Town and the walkability of Town.

b. TM Mangeri shared a COVID-19 update.

i. TM Mangeri said that the average of percent positive has increased to 11.6%, which shows a significant increase in the number of cases. Additionally, in the last five days, there were over ten cases per day in the Town's zip code, which has also increased.

ii. TM Mangeri encouraged everyone to continue wearing masks, sanitize, and take necessary precautions.

H. Parks & Recreation: Chair CM Scott Lobdell - Co-Chair CM Patrick Miller

No report

I. National Wildlife Federation Liaison: CM Mertz

No report

VIII. Citizens Comments & Participation

No comments or statements from citizens.

IX. Recess Council Meeting to Convene Executive Session

X. Convene Executive Session: In accordance with 29 Del. C. §10004 (B)(4) the Town Council met in executive session strategy session relating to potential litigation with Town Attorney Townsend.

XI. Close Executive Session & Re-convene Council Meeting

XII. Adjournment

Mayor and Council adjourned the meeting at 9:23 pm.